

TOWN OF KITTERY, MAINE
PLANNING BOARD MEETING
Council Chambers

APPROVED
January 22, 2015

Meeting called to order at 6:01 p.m.

Board Members Present: Karen Kalmar, Deborah Driscoll, David Lincoln, Ann Grinnell, Robert Harris, Mark Alesse

Members absent: Tom Emerson

Staff: Chris DiMatteo, Town Planner

Pledge of Allegiance

Site Walk Minutes: Beatrice Lane, 12/22/14

Ms. Kalmar moved to approve as submitted

Mr. Alesse seconded

Motion carried: 6-0-0

Minutes: January 8, 2015

Mr. Lincoln moved to approve as corrected

Ms. Driscoll seconded

Motion carried: 5-0-1 (Alesse)

Site Walk Minutes: 24 Goose Point, 12/22/14

Add Steven Boss, an abutter, to attendee list

Ms. Kalmar moved to approve as submitted

Mr. Alesse seconded

Motion carried: 6-0-0

Site Walk Minutes: Betty Welch Road, 1/13/15

Ms. Driscoll moved to approve

Ms. Kalmar seconded

Motion carried: 5-0-1 (Lincoln)

Public Comment: No public comment

OLD BUSINESS

ITEM 1 – Board Member Items / Discussion

A. Bylaws; review amendments and adopt

Mr. Lincoln: Are these for internal use only? The items do not appear to flow smoothly, and suggests sections be re-ordered at some time.

Ms. Grinnell: These are for Planning Board use only, and the sections were amended and added for this final product, from the 1974 original set.

Ms. Kalmar moved to approve the Planning Board Bylaws as dated January 22, 2015

Ms. Driscoll seconded

Ms. Kalmar noted the need to add the word 'twelve' to section 4.

Role call: Motion carried: 6-0-0

B. Committee Updates;

Ms. Driscoll: There have been no Comprehensive Plan Committee meetings.

Ms. Grinnell: The KPA requested continuance as a state authority and passed their first Bylaws.

C. Action List; review, edit and prioritize

Following Board discussion, the Action List was revised, items combined, re-arranged and assigned to a staff list.

- Mr. DiMatteo will work with DPW to formulate an agreement regarding notification with Planning staff when curb cuts are requested. Members discussed a recent driveway near wetlands off Lewis Road. Moved item to Staff list.
- Discussion followed:
 - Major/Minor Field Changes - Amendment for discussion February 26.
 - Selected Commercial Recreation: Research provided to Board for homework; Mr. DiMatteo will discuss with Charles Williams and prepare amendment language for March 26. Members will provide feedback to staff after reviewing research collected to date.
 - Discussed pre-application meeting checklist (policy) vs. pre-construction meeting (possible Code amendment).
 - Definitions: Shoreland and Substantially Complete - Staff to research.
 - Fines: Concerns about whether fines are ever levied against violations.
 - Seating in public way: Following discussion, proposed to recommend only in Foreside until reviewed by Comp Plan Committee. Mr. DiMatteo will address sunset language in existing Title 5 with Town Manager for Council consideration; and will provide a subject memorandum regarding public seating, overall.
 - Parking credits: How can credits continue to be allowed in Foreside area? Members agreed this needs further discussion.

D. Other

- Mr. Alessee: Pond on Rt. 103 where children ice skate is on a curve. There is a potential for cars sliding into the skating area. Who does one contact regarding such a situation?
Ms. Grinnell: This is a Council level issue.
- Mr. Lincoln: Requests staff follow-up on items requested in meetings.

ITEM 2 – Town Planner Items:

A. Memorial Circle Improvement Plan

Mr. DiMatteo summarized status of plans for Circle. There is still opportunity for the Board to weigh in on the plans, suggesting there are three opportunities for meeting with MDOT on this project.

B. KACTS Grant for Route One By-Pass

\$20,000 grant awarded to Sebago Technics with 80% paid by state and 20% by the Town. Mr. DiMatteo summarized status of grant and need for stakeholder meetings. Discussion followed regarding bicycle and pedestrian use of the new bridge and need for a bike path on the By-Pass, consultant task schedule, and stakeholder meetings;.

C. Route 1 – BP District TPB Advisory Committee

This group was established by the former Town Planner and is not a Council established committee; this group will be included in stakeholder meetings regarding the By-Pass.

D. Town standing board/committee list. List will be provided at future meeting.

E. Staff/Applicant meetings prior to formal applications. Previously discussed.

- F. Ongoing Code Amendments.
Remaining amendments will be work shopped with Council; Mr. DiMatteo will request a later workshop date to fine-tune amendments.
- G. Other: Memorial Park
Fire Department requested space to place a memorial in the park. This was a site plan reviewed and approved by the Board. The intent was to provide for a memorial area for others, in addition to service personnel. Mr. DiMatteo is requesting allowance for staff review and approval to modify the approved plan allowing placement of additional monuments in Memorial Park. There is nothing in the Code that provides for Board, or staff, review. Staff review and approval is requested to help expedite the memorial process.
Ms. Kalmar: Did the Thresher Memorial Group intend to include other memorials? Can this be documented?
Following further discussion, Board members agreed any modification to the memorial park plan should be reviewed and approved by the Board.

NEW BUSINESS

ITEM 3 – Kittery Foreside Committee - Title 16.3.2.15 Mixed Use – Kittery Foreside – MU-KF
Discussion. Planning Board to evaluate the need for Kittery Foreside Committee as referenced in Title 16.3.2.15. for the execution of the design review of new or expanded buildings as required in the Town Code, and determine next steps in addressing the current situation with no active committee.

Board members discussed how to proceed with review of projects in the Foreside where Foreside Committee design review is required, though not does not exist. Mr. DiMatteo noted that the Board can request additional design review from professionals if they feel they cannot.

Mr. Alesse: Believes the Board can follow the original charge to the Foreside Committee and administer the ordinance and the Design Handbook as part of their review process.

Ms. Davis: As Attorney McEachern stated, the Board can act in the place of the Committee and administer the Kittery Foreside code regulations and design guidelines.

Ms. Kalmar: Supports the idea of a workshop to further the design review committee charge and report from the Kittery Foreside Group.

Following discussion:

Mr. Lincoln moved to defer the issue of the Kittery Foreside Committee until the Town Manager puts together the consolidated report from the Kittery Foreside Study Group

Ms. Kalmar seconded

Motion carried: 6-0-0

Mr. DiMatteo: The applicant for the 42 State Road project has asked that a site walk be held prior to the scheduled public hearing on February 12.

Board members scheduled a site walk at 42 State Road at 8:00 a.m. February 4, with a snow date of February 11 at 8:00 a.m.

Mr. Alesse moved to adjourn

Ms. Kalmar seconded

Motion carried unanimously

The Kittery Planning Board meeting of January 22, 2015 adjourned at 8:30 p.m.
Submitted by Jan Fisk, Recorder, January 30, 2015